



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan  
*County Executive*

MEMORANDUM

June 19, 2003

TO: Michael L. Subin, President  
Montgomery County Council

FROM: Douglas M. Duncan, County Executive

SUBJECT: Executive Regulation 13-03, Telecommunication Fees

Attached is Executive Regulation 13-03, Telecommunication Facilities Coordination Fees which creates the fee structure for telecommunication facilities in Montgomery County. The regulation was promulgated by the Department of Technology Services under Method 3 and advertised in the May 1, 2003 Register. The comment period ended May 30, 2003 and no comments were received.

DMD:mi

Attachment



# MEMORANDUM

June 10, 2003

TO: Beverley K. Swaim-Staley, Director  
Office of Management and Budget

VIA: Beryl Feinberg, Management and Budget Manager *BF*

VIA: Phil Weeda, Management and Budget Specialist *PW*

FROM: Melanie G. Coffin, Management and Budget Specialist *MC*

SUBJECT: Executive Regulation 13-03, Telecommunications  
Transmission Facilities Coordination Fees

## REGULATION SUMMARY

Executive Regulation 21-02 sets the categories under which telecommunications companies will be charged when they submit an application for a site for telecommunications facilities in Montgomery County. This regulation establishes fees for reviewing and coordinating those facilities. Further, it allows different categories of applicants and establishes an annual fee.

## FISCAL SUMMARY

The established fees for telecommunications transmission facilities coordination will generate annual income of \$80,500 as shown on the chart below. That amount is based on average number of applications for a particular type in prior years. The fee structure is based on the complexity of each transaction. More complex transactions are charged higher fees.

Fee Categories	Per site Fee	Estimated Units	Totals
Annual Fees	\$500	7	\$3,500
Minor Modifications	\$500	6	\$3,000
Multiple Modifications	\$1,500	6	\$9,000
Co-locations	\$1,000	49	\$49,000
New site - By Right	\$2,000	3	\$6,000
New Site - Special Exception	\$2,500	4	\$10,000
			<b>\$80,500</b>

The following contributed to and concurred with this analysis: Margie Williams, Department of Technology Services, and Melanie G. Coffin, Office of Management and Budget.

BSS:mgc

cc: Alisoun Moore, DTS  
Sunil Pandya, DTS  
Jane Lawton, DTS  
Joseph Beach, OMB  
Melanie Coffin, OMB  
Phil Weeda, OMB

Issuing Department DTS-Cable Office

Contact Person Jane Lawton

Executive Regulation No. 13-03

**FISCAL IMPACT STATEMENT**  
**Telecommunications Transmission Facilities Coordination Fees**

FISCAL SUMMARY: Presentation of the incremental increase or decrease in expenditures and revenues for the current and next fiscal years.

	<u>Current Fiscal Year FY 03</u>	<u>Next Fiscal Year FY 04</u>
<b>1. Revenues:</b>	N/A	\$80,500
<b>2. Personnel Costs:</b>	N/A	N/A
Salaries and Wages:		
Fringe Benefits:		
Total Personnel Costs:		
<b>3. Operating Expenses:</b>	N/A	N/A
List Items:		
Total Operating Expenses:		
Capital Outlay:		
<b>Total Expenses (2 + 3):</b>	N/A	N/A
<b>4. Positions Affected:</b>	N/A	N/A
Positions:		
Full-time:		
Part-Time:		
Workyears:		
Full-time:		
Part-Time:		
<b>5. Assumptions and Explanations:</b>	See attached memo.	
<b>6. Economic Effect on Private Sector:</b>		

If additional space is needed, please attach.

**OMB REVIEW**

\_\_\_\_\_ Fiscal Impact Statement approved \_\_\_\_\_

OMB Director

\_\_\_\_\_ Fiscal Impact Statement not approved, OMB will contact department to remedy.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

<b>Subject</b> Telecommunications Transmission Facilities Coordination Fees	<b>Number</b> 13-03
<b>Originating Department</b> Department of Technology Services	<b>Effective Date</b> June 19, 2003

Montgomery County Regulation on:  
TELECOMMUNICATIONS TRANSMISSION FACILITIES  
COORDINATION FEES

DEPARTMENT OF TECHNOLOGY SERVICES  
OFFICE OF CABLE COMMUNICATIONS

= Issued by: County Executive  
Regulation No. 13-03

Authority: Code Section 2-58E  
Council Review: Method 3 under Code Section 2A-15  
Register Vol. 20 Issue 5  
Comment Deadline: May 30, 2003  
Effective Date: June 19, 2003  
Sunset date: None

**SUMMARY:** This regulation establishes fees for reviewing and coordinating the siting of telecommunications facilities in Montgomery County.

**ADDRESS:** Department of Technology Services  
101 Monroe St., 13<sup>th</sup> Floor  
Rockville, Maryland 20850

**STAFF CONTACT:** Jane Lawton, Cable Administrator  
Office of Cable and Communications Services (240) 777-3724

**BACKGROUND:** Code Section 2-58E(a) authorizes the County Executive to establish fee categories and fees for the cost of reviewing and coordinating the siting of telecommunications facilities. Executive Regulation 21-02AM establishes the fee categories. This regulation establishes the amount of the fees.

The non-refundable fees applicants must pay for the review and coordination of the siting of telecommunications facilities are:

**Charge Categories**

- 1) **Annual fee \$500.00** - Fee to be paid when the annual plan is submitted. The annual fee is charged for updating and maintaining the database, oversight, and the review of the annual plan.
- 2) **Minor Modification \$500.00-** The application fee for any of the following minor modifications that require a building permit:
  - i. a modification of existing antennas at a single site; or



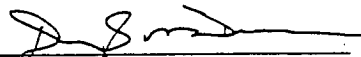
# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850


<b>Subject</b> Telecommunications Transmission Facilities Coordination Fees	<b>Number</b> 13-03
<b>Originating Department</b> Department of Technology Services	<b>Effective Date</b> June 19, 2003

- ii. the addition of antennas at a single existing site; or
- iii. a change or addition of equipment at a single existing site.
- 3) **Multiple Modifications \$1,500.00-** The application fee for any of the following multiple modifications that require a building permit:
  - i. a modification of antennas at two or more sites; or
  - ii. the addition of antennas at two or more existing sites; or
  - iii. a change or addition of equipment at two or more existing sites.
- 4) **Co-location on existing structure \$1,000.00-** The application fee for the use of an existing structure to support new antennas permitted by right under the zoning ordinance.
- 5) **New support structure, permitted use \$2,000.00-** The application fee for the construction of a new antenna support structure that is permitted by right under the zoning ordinance.
- 6) **New support structure, special exception or mandatory referral \$2,500.00-** The application fee for the construction of a new antenna support structure that must be authorized as a special exception or reviewed by the Maryland-National Capital Park and Planning Commission.

All fees must be submitted to the Office of Cable Communications, 100 Maryland Ave., Suite #250, Rockville, MD. 20850, prior to submitting the application and annual plans.

  
Douglas M. Duncan  
County Executive

6/18/03  
Date

APPROVED AS TO FORM AND LEGALITY,  
OFFICE OF COUNTY ATTORNEY  
BY   
DATE 3/28/03